

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KEVIN PARKER, Individually and on Behalf of all:  
Others Similarly Situated,

Plaintiff,

vs.

AMBAC FINANCIAL GROUP, INC., ROBERT J.  
GENADER, PHILLIP B. LASSITER, SEAN T.  
LEONARD and THOMAS J. GANDOLFO,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 3/6/08

Civil Action No. 08 Civ. 1825 (44)

STIPULATION AND ORDER

ECF Case

**STIPULATION AND ORDER ADJOURNING THE TIME FOR DEFENDANTS TO  
ANSWER, MOVE TO DISMISS OR OTHERWISE RESPOND TO THE COMPLAINT**

IT IS ACKNOWLEDGED THAT *Reimer v. Ambac Financial Group, Inc. et al.*,  
No. 08 Civ 411 (S.D.N.Y), and *Babic v. Ambac Financial Group, Inc. et al.*, No. 08 Civ 1273  
(S.D.N.Y), are related actions that arise from the same set of facts and circumstances that  
underlie the above-captioned action, and that the Court has "so ordered" substantially similar  
stipulations in *Reimer* and *Babic*.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel, that plaintiff shall have until 60 days after the entry of an order appointing lead plaintiff  
and approving lead counsel pursuant to 15 U.S.C. § 78u-4(a)(3) to file a consolidated and/or  
amended complaint, and that the time of all defendants to answer, move to dismiss or otherwise  
respond to the Complaint shall be extended to 60 days after the filing of such consolidated and/or  
amended complaint. Plaintiff shall have 60 days after defendants file any motion to dismiss or  
other response to file any response, and defendants shall have 45 days thereafter to file any reply.

IT IS FURTHER ACKNOWLEDGED THAT, as 15 U.S.C. § 78u-4(b)(3)(B) provides, all discovery, including initial disclosures pursuant to Fed. R. Civ. P. 26(a), shall be stayed through the pendency of the motion to dismiss, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.

DEFENDANTS ACKNOWLEDGE, without waiver of any arguments or defenses, including defenses related to personal jurisdiction, receipt of a copy of the Complaint in this action as of the date the Court "so orders" and enters this Stipulation, and agree to save the cost of service of a summons and an additional copy of the Complaint in this lawsuit by not requiring service of judicial process in the manner provided for by Fed. R. Civ. P. 4.

IT IS FURTHER STIPULATED AND AGREED THAT nothing herein shall be deemed to constitute a waiver of, and defendants do not waive and expressly preserve, all arguments and defenses in the above-captioned action, including defenses related to personal jurisdiction.

Dated: New York, New York

~~February~~ 2008

March 3, 2008

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SO ORDERED:

United States District Judge

Part I m

Dated: New York, New York

March 4, 2008